Appln No. 09/825,897
Response date October 15, 2004
Reply to Office action of July 15, 2004

<u>REMARKS/ARGUMENTS</u>

Reconsideration and reexamination are hereby requested.

Claims 1 - 8 are now in the application in view of the remarks set forth below.

The Examiner has objected to the spacing of lines of the specification, indicating that new application papers with lines double spaced on good quality paper are required.

However, the Applicant submits that the application papers, which were filed on good quality paper and with 1 1/2 spacing, conform to the requirements set forth in 37 CFR 1.52 (b)(2)(ii), namely: "lines that are 1 1/2 or double spaced;".

The Examiner has rejected Claims 1 - 8 under 35 U.S.C. §102(e) as being anticipated by Haddock.

The Applicant's independent Claims 1 and 5 call for (underlining added for emphasis) ... establishing an initial transmit priority for each frame to be transmitted; ... maintaining a <u>set of initial transmit priorities</u> assigned to frames transmitted on the communications network; ... establishing a <u>set of final transmit</u> priorities containing <u>highest possible priorities, one final transmit priority being</u> <u>associated with each member of the set of initial transmit</u> <u>priorities</u>, such that a <u>highest initial transmit priority</u> is assigned to a <u>highest possible priority</u>, a <u>next highest initial</u> <u>transmit priority</u> is assigned to a <u>next highest possible</u> <u>priority</u>, and so forth; and transmitting ordered frames onto the communications network, each frame using a <u>final transmit</u> <u>priority associated with the initial transmit priority</u>

-2-

Appln No. 09/825,897
Response date October 15, 2004
Reply to Office action of July 15, 2004

established for the each frame.

Relatedly, independent Claim 6 calls for: (underlining added for emphasis) establishing a transmit priority for each frame to be transmitted; ... determining a set of transmit priorities assigned to a set of frames which have been transmitted on the frame-based communications network during a past interval of time by a set of all nodes of the network; ... establishing a transmit parameter set for each transmit priority, one transmit parameter set being associated with each member of the set of transmit priorities, such that a highest transmit priority within the set of transmit priorities is assigned to a best transmit parameter set, a next highest transmit priority within the set of transmit priorities is assigned to a next best transmit parameter set, and so forth, such that a transmit parameter set established for a given transmit priority is the same or better than a transmit parameter set established for a priority when the set of transmit priorities used during a past interval contains all possible priorities; and ...transmitting ordered frames onto the frame-based communications network for each frame using a transmit parameter set associated with a transmit priority established for the frame.

As such, the Applicant submits that independent Claims 1, 5 and 6 is not anticipated by Haddock under 35 U.S.C. §102(e).

Haddock, while providing for relative priorities defining the relative importance of a particular traffic group with respect to other traffic groups, the traffic groups with a higher priority being preferred over those with lower

-3-

**Appln No. 09/825,897**
**Response date October 15, 2004**
**Reply to Office action of July 15, 2004**

priorities, and such that ties are performed by performing round robin or least recently used (LRU) scheduling, so that the QoS queue that has not provided a packet for transmission recently will be given an opportunity to transmit, Haddock does not describe, teach or suggest the <u>priority remapping as set forth in the claims</u>.

The Applicant submits that Haddock does not describe, teach or suggest: a <u>set of initial transmit priorities</u> are assigned, a <u>set of final transmit priorities containing highest possible priorities are established</u>, <u>one final transmit priority being associated with each member of the set of initial transmit priorities</u>, such that a <u>highest initial transmit priority is assigned to a highest possible priority</u>, a <u>next highest initial transmit priority</u> is assigned to a <u>next highest possible priority</u>, and so forth, and <u>ordered frames</u>, <u>each frame using a final transmit priority associated with the initial transmit priority established for the each frame</u> are transmitted onto the communications network, as set forth in Claims 1 and 5.

Further, the Applicant submits that Haddock does not describe, teach or suggest: a <u>transmit parameter set established</u> for a given transmit priority that is the <u>same or better than</u> a transmit parameter set established for a priority <u>when the set of transmit priorities used during a past interval contains all possible priorities</u>, as set forth in Claim 6.

Accordingly, the Applicant submits that Claim 1 is not anticipated by Haddock under 35 U.S.C. §102(e).

-4-

**Appln No. 09/825,897**
**Response date October 15, 2004**
**Reply to Office action of July 15, 2004**

Support for the claimed invention is clearly set forth in the specification at page 74, line 22 through page 75, line 14, wherein it states:
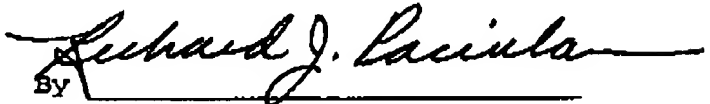
> The remapping function is simple. For each PHY priority P that corresponds to an in-use LL priority, the new priority P' to use is that priority increased by the number of higher unused priorities. For example, if [1,3,4,7] are in use, then priority 4 will be increased by 2 to 6, since there are two higher unused priorities (5,6). The tables shown in Fig. 51a and 51b contain a few more examples, including the default LL-to-PHY translation. The columns in the tables represent LL priorities before mapping. The left hand section shows some sets of in-use priorities, with the right-hand section showing the new PHY priority that the driver should use in each case. The cross-hatched entries show mappings that no sender is using. However, if there is any possibility of an implementation sending with an out-of-date mapping, or sending a priority that hasn't been included in the mapping, then it always uses the priority of the next lower valid mapping. Consider the following example. If the CurrentInuse, are [0,1,4,7], then the corresponding set of in-use PHY priorities is [2,0,4,6]. Then increase each by the number of missing higher priorities:, 2->5, 0->4, 4->6 and 6->7. Just to be safe, the any unused PHY priorities are also remapped to the new value of the next lower in-use priority, giving: 1->4, 3->5, 5->6, 7->7. So the in-use LL priorities [0,1,4,7] result in transmitting PHY priorities [5,4,6,7]. A complete map for all the LL priorities adds the remaining remapped values for the default priorities corresponding to the unused LL priorities: LL[0,1,2,3,4,5,6,7] gives PHY[5,4,4,5,6,7,7].

Claims 2 - 4 are dependent on Claim 1. Claims 7 and 8 are dependent on Claim 6. As such, these claims are believed allowable based upon Claims 1 and 6 respectively.

-5-

Appln No. 09/825,897
Response date October 15, 2004
Reply to Office action of July 15, 2004

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,

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-6-